

## SENATE BILL NO. 10

INTRODUCED BY D. HARRINGTON

BY REQUEST OF THE LEGISLATIVE COUNCIL

A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING A SINGLE UNIFORM RATE OF MILEAGE ALLOWANCE FOR LEGISLATORS; AMENDING SECTION 2-18-503, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**Section 1.** Section 2-18-503, MCA, is amended to read:

**"2-18-503. Mileage -- allowance.** (1) Members of the legislature, state officers and employees, jurors, witnesses, county agents, and all other persons who may be entitled to mileage paid from public funds when using their own motor vehicles in the performance of official duties are entitled to collect mileage for the distance actually traveled by motor vehicle and no more unless otherwise specifically provided by law.

(2) (a) When a state officer or employee, ~~including a legislator on legislative business~~, is authorized to travel by motor vehicle, and chooses to use a privately owned motor vehicle even though a government-owned or government-leased motor vehicle is available, the officer or employee may be reimbursed only at the rate of 48.15% of the mileage rate allowed by the United States internal revenue service for the current year.

(b) When a privately owned motor vehicle is used because a government-owned or government-leased motor vehicle is not available or because the use is in the best interest of the governmental entity and a notice of unavailability of a government-owned or government-leased motor vehicle or a specific exemption is attached to the travel claim, then a rate equal to the mileage allotment allowed by the United States internal revenue service for the current year must be paid for the first 1,000 miles and 3 cents less per mile for all additional miles traveled within a given calendar month.

(3) Members of the legislature, ~~while traveling between their residences and Helena~~, jurors, witnesses, county agents, and all other persons, except a state officer or employee, who may be entitled to mileage paid from public funds when using their own motor vehicles in the performance of official duties are entitled to collect mileage at a rate equal to the mileage allotment allowed by the United States internal revenue service for the current year for the first 1,000 miles and 3 cents less per mile for all additional miles traveled within a given

1   calendar month.

2           (4) Members of the legislature, state officers and employees, jurors, witnesses, county agents, and all  
3   other persons who may be entitled to mileage paid from public funds when using their own airplanes in the  
4   performance of official duties are entitled to collect mileage for the nautical air miles actually traveled at a rate  
5   of twice the mileage allotment for motor vehicle travel and no more unless specifically provided by law.

6           (5) This section does not alter 5-2-301.

7           (6) The department of administration shall prescribe policies necessary for the effective administration  
8   of this section for state government. The Montana Administrative Procedure Act, Title 2, chapter 4, does not apply  
9   to policies prescribed to administer this part."

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11           NEW SECTION. **Section 2. Effective date.** [This act] is effective on passage and approval.

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